

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
MAMORU TSUKADA) : Examiner: Frank W. Lu
Application No.: 10/582,327) : Group Art Unit: 1634
371(c) Date: June 9, 2006) : Confirmation No. 1626
For: PROBE SET AND METHOD)
FOR IDENTIFYING HLA) :
ALLELE) : March 25, 2010

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the restriction requirement set forth in the Office Action dated February 17, 2010, the period for response to which having been extended to April 17, 2010 by the accompanying Petition for Extension of Time, Applicant provisionally elects to prosecute the Group II claims, namely Claims 2 and 3. The restriction requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining the fifteen groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in

examining the claims of Groups I to XV in a single application, since the fifteen groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

With respect to the further restriction requirement, Applicant provisionally elects a probe set of Probe Nos. 0 and 1 from Table 1-1 (i.e., SEQ ID Nos: 251 and 252). This election is made without traverse.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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